COMMENTS OF BELLSOUTH

CC DOCKET NO. 01-318

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PART 2

systems are analogous to those of Bell Atlantic, but the two second interval recommended by BellSouth is even more stringent than the four seconds already approved by the Commission for Bell Atlantic. Therefore, an appropriate standard for this measure is Parity + 2 seconds.

70. In setting an appropriate penalty, it is important to remember that this measurement relates to an aspect of BellSouth's OSS that is regional in scope. Pre-ordering systems are accessed on a region wide basis, without any regard to the location of the accessing party. For this reason, a failure to provide appropriate response times would affect all CLECs equally, regardless of their physical location. In other words, while failing performance is a possibility, providing failing performance to some CLECs, but not others, is not possible. Accordingly, the penalty for disparate performance should be applied at the aggregate (i.e., industry-wide) level only and paid as a Tier II penalty. The penalty amount should be set according to the Tier 2 payment schedule set forth in BellSouth's Self-Effectuating Enforcement Mechanism (SEEM) plan (Attachment 2).

71. In response to the inquiry in the *Notice* as to whether another measure might be more appropriate,[19] BellSouth states that the measurement described above more accurately captures the ILEC's pre-ordering/ordering performance than any other possible alternative measure. At the same time, additional indications of OSS response timeliness are inherent in the FOC Timeliness and Reject Interval measurements discussed below.

2. Order Status Measurements

72. BellSouth believes that the three Order Status Measurements described in the *Notice* are sufficient because they monitor the key customer impacting points in the ordering and

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York, CC Docket No. 99-295, *Memorandum Opinion and Order*, 15 FCC Rcd 3953, 4025, ¶ 146 (1999) ("*Bell Atlantic-New York Order*").

[19] *Notice*, ¶ 36.

provisioning process, i.e., whether the order was accepted or rejected in a reasonable time, whether the customer was notified that the order completed in a timeframe equivalent to BellSouth's own retail operations, and finally, what percentage of orders, if any, were placed into jeopardy.

(a) Order Notifier Timeliness

73. BellSouth believes that incumbent LECs have a responsibility to measure the amount of time it takes to either send a notice confirming acceptance of an order placed by a CLEC and indicating a date on which the requested service will be provisioned (FOC Timeliness), or indicating the amount of time required to notify the CLEC that an order has been rejected (Reject Timeliness). BellSouth also believes that it is important for the CLECs to able to advise their customers, within a reasonable time frame of the due date for delivery of service. The delivery of service is affected by the amount of time it takes to create a valid service order. Thus, reject intervals to correct Service Requests before becoming a valid order are equally important because they identify added delay in the processing of local service requests. Moreover, multiple rejections for the same CLEC might indicate an easily correctable training deficiency on the part of the party submitting the request.

74. BellSouth measures the order status notification referenced in the *Notice*[20] with two separate and distinct measurements, *Firm Order Confirmation Timeliness (FOC) and Reject Interval*. These two measures, as described in Attachment 1, include Business Rules that provide for the correct measurement points.

75. *Firm Order Confirmation Timeliness* measures the time from the receipt of a valid Service Request at the OSS gateway to the time the FOC leaves the OSS gateway and is

transmitted to the competing carrier. This interval varies according to the manner of order submission. The intervals defined in the business rules for the two applicable methods of submission are as follow:

1) FOC Timeliness (Mechanized)—the start time is the receipt time of a valid electronically submitted Service Request that flows through the ordering systems without the need to manual intervention. The stop time is when the service order is generated and an FOC notification is returned.

2) FOC Timeliness (Non-Mechanized)—the start time is the receipt of a valid manually submitted Service Request by such non-mechanized means as fax or paper, or the receipt of a valid electronically submitted Service Request that falls out for manual handling. The stop time occurs upon the generation of a service order by a BellSouth Service Representative and return of an FOC.

76. *Reject Interval* measures the time from the receipt of a valid service request at the OSS gateway to the time the rejection notice leaves the OSS gateway. Again, the precise calculation of this interval depends on the method of Order Submission:

1) Reject Interval (Mechanized)—the start time is the receipt time of an electronically submitted Service Request for which an error is detected electronically, without manual intervention. The stop time is when Service Request is clarified back to the CLEC.

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[20] *Notice*, ¶¶ 39-40.

2) Reject Interval (Non-Mechanized)—the start time is receipt of a valid Service Request via FAX or mail, or upon receipt of a valid electronically submitted Service Request that falls out for manual intervention. The stop time is when a reject notice is returned to the CLEC.

77. As to exclusions, rejected orders should be excluded from the FOC Timeliness measurement since a rejected Service Request would, by definition, not result in a Firm Order Confirmation. However, Rejected Orders should be included in the measurement of Reject Interval since this measurement directly addresses Rejected Service Requests.

78. Further, the following exclusions should apply to the FOC timeliness and reject interval measurements:

(1) Service Requests identified and classified as "Projects." "Projects" are, by definition orders that fall outside of the normal process because they require assignment of a BellSouth project manager and negotiations with BellSouth field operations to determine a projected due date. It would be inappropriate to include these in a measurement designed to evaluate BellSouth's performance under normal operating conditions.

(2) The time interval associated with the manual processing of Service Requests requiring manual handling should be adjusted to reflect the hours of operation in the ordering centers when service representatives are actually in the ordering center. As an example, if a order requiring manual handling is received at 5PM and an

FOC or a Reject notice is issued at 9AM the next morning, the resulting 16 clock-hour interval should be restated as a 2 hour interval, assuming the center closes at 6PM and opens at 8am the next morning. Exclusion of these hours would apply to orders designated as Partially Mechanized or Non Mechanized in both the FOC Timeliness and Reject Interval Measurements.

(3) Designated Holidays should also be excluded from the interval calculation because both the ILECs and CLECs business operations are minimized or closed.

(4) Service Requests cancelled before an FOC is issued or prior to being rejected or clarified should also be excluded from the FOC and Reject Interval measurements.

79. The *Notice* inquires as to whether exclusion is appropriate for unsolicited FOCS, ILEC test orders and Disconnect Service Requests.[21] BellSouth does not believe that these exclusions are needed. The *Notice* defines an Unsolicited FOC as a supplemental FOC issued by the ILEC to change the due date.[22] BellSouth does not believe this exclusion is appropriate because the order on which the unsolicited FOC is issued requires processing time and this time should be recognized. Similarly, ILEC Test Orders and CLEC Disconnect Service Requests should not be excluded from the FOC or Reject measurements because time is required to process these Service Requests and that time should be captured by the FOC or the Reject Interval Measurement. Test Orders can be submitted by the ILEC on behalf of the CLEC, and

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21 *Notice*, ¶ 40

22 *Notice*, footnote 65.

Test Orders can also be submitted in conjunction with a Third Party Test of the OSS Systems. In these instances, the ordering volumes and the associated work requirements can be significant.

80. Disconnect Service Requests should not be excluded because CLEC disconnect requests are processed by the ordering systems and the ordering centers in the same manner as Connect Service Requests. Also, Disconnect Service Requests, including suspends and denials, represent a significant volume of orders. Furthermore, the processes of validating an order and issuing a response or detecting an error in the Service Request are similar to those required for Connect and for Disconnect Service Requests.

81. As to the appropriate Standard, Benchmarks should apply to the FOC and Reject Interval measurements because BellSouth does not currently have an analogous process for these two ordering functions within its' retail operations. BellSouth's SQM applies different intervals and benchmarks to these measurements based on the two different order types: mechanized (orders submitted electronically that are processed with no manual intervention), and non-mechanized (orders submitted electronically that fallout for manual handling or orders that are submitted via fax or mail). These differences are appropriate because each order type requires a different amount of labor for processing. The recommended standards for these measurements are described in detail in Attachment 1.

82. Regarding appropriate penalties: because Service Requests are processed either through an electronic interface without manual intervention or processed manually by the LCSC for all CLECs, any failures in the electronic interface or the LCSC affect all CLECs equally. Therefore, an incentive based on performance to the entire industry is appropriate. In the event a penalty is assessed, the penalty should apply at the CLEC aggregate level (i.e., Type II penalty) based on interface type. The penalty amounts should be set according to the payment schedule

set forth in BellSouth's Self-Effectuating Enforcement Mechanism (SEEM) plan attached as Attachment 2.

83. BellSouth does not believe that it is appropriate to have standards and/or penalties that differ by facility type. For ordering measurements, the type of facility is generally not a factor in how quickly an order is rejected or an FOC returned. There are exceptions, such as designed services and complex products which require a longer ordering process. These would include orders that must first go through a design engineering process and complex orders such as orders for Centrex service that require a lot of station level detail related to features, hunting arrangements, call pickup groups, etc. Currently, in each of these examples, the order would fall-out for manual processing due to its complexity and automatically be compared to the more liberal benchmark of 85% within 10 hours, as identified in Attachment 1. To summarize, the requirements of the Order (e.g. engineering design or complex products, mechanized vs. non-mechanized) rather than facility type is the appropriate determining factor for the benchmark.

84. In response to the inquiry in the *Notice*[23] as to whether an Order notifier timeliness requirement is best suited to detecting discrimination in this area, BellSouth believes that the use of the two measurements described above, *FOC Timeliness* and *Reject Interval* is the best means to determine whether or not an ILEC is providing non-discriminatory performance. BellSouth does not believe that a better alternative measure exists.

(b) Order Completion Notifier Timeliness

85. BellSouth believes that incumbent LECs should measure the amount of time between the actual order completion (when the service is delivered to the end-user) and the distribution of the order completion notice to the competitive carrier. BellSouth's SQM includes

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[23] *Notice*, ¶ 40

the *Average Completion Notice Interval* measurement for this purpose. This measure captures the elapsed time between the BellSouth reported completion of work and the issuance of a valid completion *Notice* to the CLEC.

86. This measurement should be calculated so that the start time for dispatched orders (where a field technician is dispatched to the customer's premise) is the completion date and time entered on the order by the field technician. The start time for non-dispatched orders should be 5pm on the due date. The end time for mechanized orders should be time the *Notice* was transmitted to the CLEC interface. In BellSouth this would be the LENS, EDI, OR TAG interface. For non-mechanized orders the end of the calculation period should be the timestamp of the order update to the system that provides order status information to the CLEC. In BellSouth, this system is the CLEC Service Order Tracking System ("CSOTS"). The measure BellSouth proposes is calculated by the sum of all completion notice intervals divided by the number of orders with notice of completion in the reporting period.

87. The appropriate exclusions for this measure are as follow:

(1) Cancelled Service Orders: it is clear that an ILEC should not provide a completion notice on an order that has been cancelled.

(2) Order activities of BellSouth or the CLEC associated with internal or administrative use of local services (Record Orders, Listing Orders, Test Orders, etc.): these activities do not have any real impact on the CLEC customers' experience in receiving service from the CLECs and would, therefore, not be a significant reflection of discriminatory, or non-discriminatory treatment.

Also, Test Orders typically are not provisioned and, would, therefore, not require an Order Completion Notifier.

(3) D&F Orders (except "D" orders associated with LNP Standalone). Typically D (Disconnect) and F (From) orders are programmed to disconnect automatically at a specified time on the due date. When the order is completed, the completion notifier is automatically sent to the CLEC. Since these orders are programmatically completed in the central office switch from a pre-loaded program, large volumes are completed almost instantaneously, resulting in a high volume of completions with minimal or non-recognizable intervals. Because the interval is very short, inclusion of these orders could have a tendency to dilute the completion notice interval for connect orders. In fact, to do so would skew the results of this measurement in favor of the ILEC. Further, D&F orders for CLECs and BellSouth retail operations are treated exactly the same.

88. The *Notice* raises the question of whether billing notification timeliness should be included as part of this measure.[24] The most appropriate indication of the point at which provisioning ends is when the service ordered is actually delivered to the customer. The billing process does not begin until after the provisioning process is complete. Therefore, billing measurements, such as billing notification timeliness, should not be part of any measure that applies to the provisioning process.

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[24] *Notice*, ¶ 42.

89. As to the appropriate standard to apply, BellSouth advocates a parity measure, that is, a retail analog. Once the field technician completes the order in the BellSouth Service Order Completion System (SOCS), SOCS initiates the notification process. The Notification Process for BellSouth's SOCS system makes no distinction between wholesale orders and retail orders. The specific appropriate retail analogs for Order Completion Notifier Timeliness measures, after disaggregation into submeasures, are listed in Attachment 1.

90. There should be no penalty associated with this measure. Not all measurements require attendant penalties. Instead, penalties are appropriate only for measures that apply to performance that has an actual effect on the provision of satisfactory service to the end user, which in this case would, of course, be the CLEC's customer. Completing the Order and delivering service to the customer are certainly more important than strict adherence to administrative processes, such as the Notification of Order Completeness.

(c) Percentage Of Jeopardies

91. BellSouth believes that it is important for customers of both CLECs and ILECs to receive notice that an appointment will be missed. Therefore, it is appropriate for the incumbent LEC to measure the number of orders with missed due dates that receive advance jeopardy notices.

92. The measurement proposed in the *Notice* is adequate, and BellSouth's OSS are capable of producing this measurement. In fact, BellSouth's SQM currently produces this information in the form of the *Average Jeopardy Notice Interval and Percentage of Orders Given Jeopardy Notices* measurement. The *Average Jeopardy Notice Interval* measurement shows how far, in advance of the due date, a jeopardy status indicator is available to the CLEC.

93. It is appropriate for the ILEC to provide a jeopardy notice when it can be determined in advance of the due date that an order may not be completed. However, a jeopardy notice on the due date is probably neither timely nor useful information to the CLEC. Therefore, the end point for the jeopardy notice time period should be the close of business on the day prior to the due date. The beginning of the time period is the point in the ILEC's provisioning process when the jeopardy is first indicated. This would typically occur shortly after the order is entered in BellSouth's (or other ILEC's) ordering systems. BellSouth currently produces a Jeopardy Notice Interval measure that captures the interval from the date/time the jeopardy notice is released to the CLEC/BellSouth systems until 5pm on the scheduled due date of the service order.

94. The appropriate exclusions for this measurement are as follow:

(1) Orders held for CLEC end user reasons—ILECs should not be held responsible for performance outside of their control.

(2) Disconnect (D) and From (F) orders—because these orders are not associated with installation performance.

(3) Cancelled orders—because a cancelled order cannot be completed.

(4) Incumbent LEC test orders and administrative orders. These orders do not have any real impact on the CLECs, and measuring performance on these orders would yield little useful information.

(5) Non-dispatched Orders should also be excluded from this measurement. The primary cause of a jeopardy is a shortage in the outside facilities serving the customer, and these orders would normally appear as dispatched orders. Non-dispatched orders do

not require the dispatch of an outside technician, but, instead, are typically completed with software changes, (such as would be required for a feature activation) or by central office personnel.

(6) Jeopardies that occur on the due date should be excluded from this percentage of jeopardies for several reasons. The intent of an appropriate jeopardy measurement would be to capture the number of orders on which a jeopardy is noted in advance of the due date and to measure how quickly a jeopardy indication is provided to either the CLEC or to the ILEC's retail operations. If an order goes into jeopardy status on the due date, the resulting miss of the due date will be captured by the provisioning measurement Percentage Missed Installation Appointments or its inverse, Percentage On Time Performance.

95. The *Notice* requests comment on whether the ILEC should account for 100% of missed committed due dates.[25] BellSouth does not believe that this information should be required as part of this measurement. The purpose of this measurement is to capture data about the ILEC's provision to CLEC of jeopardy notices, which are only an indication that a due date might be missed. This measure, by definition, does not capture actual misses. Thus, it would not be appropriate to require as part of this measure the reporting of circumstances that relate to misses.

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[25] *Notice*, ¶ 45.

96. Since there is a retail operation equivalent to this process in BellSouth, this should be a parity measurement. For *Average Jeopardy Notice Interval and Percentage of Orders Given Jeopardy Notices*, the retail analogs are included in Attachment 1.

97. There should be no penalty associated with this measurement. Again, providing a CLEC with a jeopardy notification that the ILEC might miss a due date is by no means a firm indication that the due date will be missed. In many cases, facility conditions are corrected in time to complete the service order on time. In cases in which a due date is actually missed, the ILEC should be held accountable for the miss as part of the penalty for the *Percent Missed Installation Appointments* measurement. In this case, it is not appropriate to assess a second, largely duplicative penalty for failing to give notice of the possibility of a failure. If the due date is ultimately not missed, the fact that the jeopardy notice was not given has no real impact on the CLEC or its customer. In this instance, there may be a benefit to having this as a diagnostic measure, but a penalty is not appropriate.

3. Provisioning Measurements

98. BellSouth believes that the provisioning measures on which the *Notice* seeks comment are generally appropriate to ensure performance at a level that satisfies the statutory requirements. No additional measurements are needed. Moreover, BellSouth believes that only three of the five provisioning measurements set forth in the *Notice* are necessary because two of the proposed measures – Percentage On Time Performance and Average Delay Days On Missed Installation Orders – do not add any significant information to that which would be captured by the measures, Installation Quality, Percentage Missed Appointments and Open Orders in Hold status. The Percentage On Time Performance is merely the obverse of Percent Missed

Installation Appointments.[26] Percentage On Time Performance captures the percentage of CLEC orders provisioned on or before the scheduled due date; the Percentage of Missed Appointments captures the percentage of CLEC orders that are past the committed due date or not provisioned on the due date. Since the Commission already proposes to measure the ILEC performance on one of these, to have both measurements would be redundant and would create an unnecessary increase in the burden upon carriers.

99. The proposed measure Average Delay Days on Missed Installation Orders only leads to further qualification of the degree of the miss for the committed due date. Measuring the average number of days between the first confirmed commitment due date and the actual work completion date does not adequately capture the provisioning performance of the ILEC. The true measure of the ILECs' performance is whether the ILEC missed the due date. Provisioning the service on the committed due date is the most complete indicator of ILEC provisioning performance. Further, the measures, Installation Quality, Percentage Missed Appointments and Open Orders in Hold Status, when disaggregated to the level of detail outlined in Attachment 1, would be more than adequate to detect any disparate treatment of CLECs.

(a) Percentage On Time Performance

100. Again, the Commission should not require the ILEC to produce measures such as Percentage on Time Performance that would duplicate other measures, in this case, the Percent Missed Appointment measure. Having stated this position, BellSouth will state its views as to how this measure should be structured if the Commission determines that it is necessary. If adopted, this measurement should be tied to the first confirmed due date. If the order is changed by the ILEC to move the due date to a later date, it is still an ILEC caused missed appointment based on the original due date, and the ILEC will still be held accountable. If the

[26] BellSouth produces the measurement, *Percent Missed Installation Appointments,* as described it in Attachment 1.

order is changed by the CLEC to move the due date to a later date, then the original due date is shown as missed due to customer reasons and the ILEC would not be held accountable.

101. Although, as stated previously, BellSouth does not believe this measure is needed, BellSouth also does not believe that the measurement, if adopted, will create an incentive for incumbent LECs to set due dates further into the future to mask poor performance. Due dates are not discriminately set by BellSouth to advantage itself. Due dates are assigned using a mechanized process that takes into effect not only the published target interval for the service being ordered, but also external factors, including weather and workforce availability. The existence of this criteria, along with the fact that the criteria is applied automatically, would effectively prevent an ILEC from tampering with due dates, even if it were inclined to do so (and there is no indication that this is the case).

102. Since there is no "danger" of due date manipulation, there is no need for the Commission to contemplate setting provisioning completion intervals as a sort of additional safeguard. Furthermore, if provisioning completion intervals for various facilities were adopted, this measure would, by definition, have to utilize a benchmark as a standard instead of a retail analog. A benchmark is inappropriate because a retail analog exists. Further, setting a benchmark for completion intervals would eliminate the flexibility necessary to adjust for conditions such as weather, workforce availability, maintenance and repair activities and natural disasters. These types of conditions can lead to provisioning delays for both wholesale and retail customers, and benchmark standard would be incapable of taking this reality into account.

103. The *Notice* identifies a number of potential exclusions and inquiries as to whether they are appropriate.[27] These exclusions are, indeed, appropriate for the following reasons:

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[27] *Notice*, ¶ 50.

(1) LEC Test Orders, ILEC Administrative Orders, Record Orders, Listing Orders. Order activities of the ILEC or the CLEC associated with internal or administrative uses of local services (e.g., Record Orders, Listing Orders, Test Orders, etc.) do not have any real impact on the CLEC's. Thus, measuring performance on these Orders would yield little useful information.

(2) Cancelled Orders – primarily because a cancelled order cannot be a completed order

(3) Disconnect (D) and From (F) orders D&F Orders (except "D" orders associated with LNP Standalone). Typically D (Disconnect) and F (From) orders are programmed to disconnect automatically at a specified time on the due date. D&F orders for CLECs and BellSouth retail operations are treated exactly the same.

(4) End User Misses, which would include Customer Not Ready (CNR) situations – because these do not reflect the ILEC's performance.

104. The *Notice* inquires as to the best way to address the verification of CNR situations that may result in installation delays.[28] BellSouth's current process already requires verification of the reason for not completing the order. However, orders not completed on time due to CNR situations should not have to be verified before excluding them in the relevant metrics. Any process for confirming that a customer is not ready would be a manual process that

[28] *Notice*, ¶ 50.

would be difficult to implement and overly burdensome. It is BellSouth's practice to accept the customer's representation that they are not ready, and BellSouth believes that this practice is appropriate whether the customer is served by BellSouth or by a CLEC.

105. Further, the time required for a BellSouth field technician to contact a CLEC and wait on verification that the CLEC's customer is not ready or not available to provide access would inappropriately add delays to all orders scheduled for completion on that date, add costs to the process, and would negatively affect BellSouth's on time performance.

106. If produced, the appropriate standard for this measurement is parity, as determined by the use of a retail analog. As stated previously, the information that would be captured by this measure is also captured by the inverse measurement, Percent Missed Installation Appointment. BellSouth has utilized Percent Missed Installation Appointment as an internal measurement for years, and, therefore, clearly has a retail analog for this measurement. The appropriate product disaggregation and retail analogs are listed in Attachment 1.

107. BellSouth is opposed to the suggestion of the competitive carriers referenced in the *Notice* that the standard for this measure should be 96 percent of the timely installation of special access circuits. First, a benchmark is not appropriate if a retail analog exists. Also, retail analogs capture factors such as productivity improvements, differences in processes or weather or local related problems that effect both the ILEC's retail operations and the service provided to CLECs.

108. Moreover, special access is not an appropriate retail analog because it is not representative of all retail services. Instead, it is a premium service provided to carriers that pay premium rates to obtain short service intervals, special terms and conditions and enhanced service guarantees. For these reasons, it is not an analogous service and should not be used as the basis for comparison.

109. The appropriate penalties for this measurement are set forth in Attachment 2.

(b) Average Delay Days On Missed Installation Orders

110. BellSouth does not believe that an incumbent LEC should measure the average amount of time by which it misses committed installation due dates (Average Delay Days on Missed Installation Orders). BellSouth does not currently produce this measurement because BellSouth considers a missed appointment, in conjunction with Held Order Measures, to be sufficient to indicate potential disparate performance on BellSouth's part. The proposed measure, Average Delay Days on Missed Installation Orders, would lead, at best, only to further qualification of the degree of the miss for the committed due date. However, in practical applications this measurement could be quite misleading. For example, an ILEC could miss 80% of its due dates, but complete the provisioning work, on average, the day after the due date. Thus, there would be a very low total number of delay days between the first confirmed commitment due date and the actual work completion date which, under this measurement, would result in the appearance of satisfactory performance. However, the actual percentage of missed installation commitments would be unacceptably high. The true measure of the ILECs' performance is whether the ILEC meets the due date. This should be the focus of any measurement in this area. Further, to the extent that an ILEC has chronic problems in delayed order completions, these delays would result in orders being held past their due date. The measurement *Mean Held Order Interval* is intended to measure orders held past their due date. The Mean Held Order measurement is described in Attachment 1 and is discussed further below in response to the *Notice*'s proposal for a measurement of Open Orders in Hold Status.

111. The *Notice* asks whether a more comprehensive view of provisioning would be achieved by requiring incumbents to measure the average carrier-requested installation interval compared to the average incumbent LEC offered interval and the actual average installation

interval.[29] BellSouth believes that it is more appropriate to compare the actual installation intervals of ILECs and CLECs. BellSouth is proposing for adoption in the national plan a measurement that accomplishes this, the Order Completion Interval (OCI) measure. (See Attachment 1).

112. If required to produce this measurement, BellSouth believes the appropriate exclusions are as follow:

(1) LEC Test Orders, ILEC Administrative Orders, Record Orders, Listing Orders; Order activities of BellSouth or the CLEC associated with internal or administrative use of local services (such as Record Orders, Listing Orders, Test Orders, etc.) do not have any real impact on the CLEC's customers' experience in receiving service from the CLECs. For this reason, these activities would not provide a significant reflection of any discriminatory treatment. Also, Test Orders typically are not provisioned and, are, therefore, not the type of Order to which the Average Delay Days On Missed Installation Orders measurement would apply.

(2) Cancelled Orders - Clearly, a cancelled order cannot be completed

(3) Disconnect (D) and From (F) orders D&F Orders (except "D" orders associated with LNP Standalone). Typically D (Disconnect) and F (From) orders are programmed to disconnect automatically at a specified time on the due date. D&F orders for

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[29] *Notice*, ¶ 52.

CLECs and BellSouth retail operations are treated exactly the same.

(4) End User Misses, which would include CNR and NA situations, because these do not reflect the ILEC's performance.

113. The *Notice* inquires whether weekends and legal holidays should be excluded.[30] Any day on which provisioning work is not normally scheduled by the ILEC for its retail or CLEC customers cannot fairly be counted as a day of delayed work. Legal holidays and weekend days should be excluded.

114. As to the appropriate standard, if the Commission determines that it is appropriate to produce this measurement, the performance standard should be parity, based on average delay days. BellSouth's process in handling missed installation appointments is the same for the retail customer as for the CLEC. Since the coding and verification of missed appointments is the same, the reasons for missed appointments such as weather or workload would apply to both ILEC retail operations and to CLEC orders. For these reasons, a standard should not be selected that utilizes specific time intervals. However, if the Commission ultimately decides to require incumbent LECs to report delay days in a distribution interval, BellSouth recommends the following intervals: 1 day, 2-10 days, 10-30 days and > 30 days. In BellSouth's experience, there are few orders that have not been completed within 30 days. Thus, there is little need to have the intervals suggested in the *Notice*[31] of 31-40 days and > 40 days.

(c) Installation Quality

115. BellSouth believes that incumbent LECs should measure installation quality as the percentage of completed orders for which CLECs file trouble reports within a limited period after the installation. BellSouth is currently reporting this measure. BellSouth believes, however

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30 *Notice*, ¶ 53.

31 *Notice*, ¶ 54.

that the 30 day interval offered for comment in the *Notice*[32] needs to be shortened in order to increase the likelihood that trouble reports captured by the measurement are actually the result of the installation. In BellSouth's experience, if the provisioning process is incomplete or results in faulty service, the customer generally contacts BellSouth within a very short time period, i.e., hours or, at most, a few days. To reflect that experience, BellSouth proposes a measurement, *Percent Provisioning Troubles within 5 days of Service Order Completion*, which accurately measures the quality and accuracy of service order activity. This measurement, with the level of disaggregation described in Attachment 1, will accurately measure the quality of ILEC installation performance.

116. Although, this measurement, as proposed, is structured appropriately to determine whether the incumbent LEC installed the facility correctly, the 30-day interval is an excessive amount of time. Customers typically do not wait 30 days to report a trouble on a newly installed line. Since trouble reports on all completed orders are included in the measurement, any report within the 30 day period would be included in the results. This raises the substantial prospect that trouble reports that are unrelated to the provisioning process would be captured in the measurement, which would result in an inaccurate picture of the actual installation quality. The longer the reporting period, the more likely it is that a subsequent problem is included in the measurement that is not related to the service installation. For this reason, the *Percent Provisioning Troubles in 5 days* measurement provides a more accurate indication of an ILEC's performance in providing Quality installation.

117. Putting aside the question of the appropriate length of the reporting period, BellSouth believes the calculation of the time period suggested in the *Notice* is correct. The calculation should be based on the time from the actual service order completion in the ILECs' provisioning OSS until receipt of the first trouble report. BellSouth currently handles trouble

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32 *Notice*, ¶ 55.

reports before the service order is completed as part of the provisioning process. For example, a trouble report at 4:00 pm on an order that is due to be completed by 5:00pm on the installation date would be referred to a provisioning group. A trouble report at 7:00 pm after the order is closed would be the first trouble report on that installation.

118. When a trouble report is closed, the cause of the trouble is reported with a disposition code. Disposition codes used by the various incumbent LECs are fully defined and generally standardized. The Disposition codes that apply to the analog retail service offered by the incumbent should apply to this measure. These include network codes for Drop-wire, Outside Plant, Central Office, Found OK (FOK) and Test OK (TOK) where a trouble condition could not be found.

119. The appropriate exclusions for this measure are as follow:

(1) Cancelled Service Orders. Clearly, there would be no trouble report on an order that is not completed due to a cancellation.

(2) Order activities of BellSouth or the CLEC associated with internal or administrative use of local services (Record Orders, Listing Orders, Test Orders, etc. These activities do not have any real impact on the CLEC customers' experience in receiving service from the CLECs. For this reason, they would not provide a significant reflection of any discriminatory treatment.

(3) D&F Orders (except "D" orders associated with LNP Standalone). Typically D (Disconnect) and F (From) orders are programmed to disconnect automatically at a specified time on the due date. An order for a disconnect typically does not produce an installation

trouble. D&F orders for CLECs and BellSouth retail operations are treated exactly the same. As stated previously, these orders are programmatically completed in the central office switch from a pre-loaded program. Therefore, large volumes are completed almost instantaneously, which results in a high volume of completions with minimal or non-recognizable intervals. These orders should not be included in the measure because doing so would skew the results of this measurement.

(4) Trouble reports associated with internal or administrative service. This includes administrative, routine, and informational tickets/troubles. BellSouth's performance monitoring equipment performs routine preventative maintenance on facilities or circuits and issues auto detect trouble reports on circuits and facilities that may still be working, but that have indicated that they are operating at the lower end of the minimal threshold for performance. The customer is not aware of this type of trouble and BellSouth should not be discouraged from producing these types of tickets by having them included in a penalty producing measure.

(5) Subsequent troubles occurring with a report pending should not be included in the report. Also, this measure is intended to detect problems associated with the installation process. The first trouble is sufficient for this purpose. Also, only the original trouble ticket should be counted to prevent any artificially inflated trouble report rates.

(6) Trouble reports that are closed "test ok", where no trouble is found, or where the trouble relates to customer premise equipment because there is no problem attributable to the ILEC.

120. The appropriate performance standard for this measurement is parity, as judged by comparison to a retail analog. Wherever possible, an analogous retail service should be compared to the equivalent service being provided to the CLEC customer. BellSouth has utilized Percent Provisioning Troubles within 5 Days of Service Order Completion as an internal measurement for years and, therefore, clearly has a retail analog for this measurement. The appropriate product disaggregation and retail analogs are listed in Attachment 1. The appropriate penalties for this measurement are set forth as Attachment 2.

(d) Percentage Missed Appointments

121. The method proposed in the *Notice*[33] to measure the number of missed customer appointments for competitive carriers is the best indicator of discriminatory performance in the provisioning area. BellSouth currently reports this exact measure as *Percent Missed Installation Appointments.* BellSouth reports, as the *Notice* proposes, a measure that captures the percentage of orders not worked on the first confirmed due date. This measure provides an accurate gauge of the ILEC performance and provides CLECs with the assurance that they can reliably quote expected due dates to their customers.

122. This measurement should be tied to the first confirmed due date. If the order is changed by the ILEC to move the due date to a later date, it is still an ILEC-caused missed appointment, based on the original due date, and the ILEC will still be held accountable. If the order is changed by the CLEC to postpone the due date, then the original due date is shown as missed due to customer reasons and the ILEC would not be held accountable.

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[33] *Notice*, ¶ 62

123. The *Notice* also identifies the appropriate exclusions for this measurement. Specifically:

(1) LEC Test Orders, ILEC Administrative Orders, Record Orders, Listing Orders, Test Orders, etc., these activities do not have any real impact on the CLEC customers' experience in receiving service from the CLECs. For this reason, they would not provide a significant reflection of any discriminatory treatment.

(2) Cancelled Service Orders. A cancelled order cannot be completed

(3) D&F Orders (except "D" orders associated with LNP Standalone). Typically D (Disconnect) and F (From) orders are programmed to disconnect automatically at a specified time on the due date. D&F orders for CLECs and BellSouth retail operations are treated exactly the same. As stated previously, these orders are programmatically completed in the central office switch from a pre-loaded program. Therefore, large volumes are completed almost instantaneously, which results in a high volume of completions with minimal or non-recognizable intervals. These orders should not be included in the measure because doing so would skew the results of this measurement.

(4) End User Misses, which would include CNR situations. These misses do not reflect the ILEC's performance.

124. This measurement, as defined in Attachment 1, is more than adequate to discern any discriminatory conduct that might occur. It is not necessary for the Commission to include within this measurement, or use as an alternative, the *Percentage Missed Appointments Due to*

Lack of Facilities measurement. The Missed Appointments due to Lack of Facilities measure is simply a sub-set of Percent Missed Installation Appointments, which captures all missed appointments, including those due to a lack of facilities.

125. A benchmark should not be used for this measurement. The appropriate performance standard for this measurement is parity, and the proper product disaggregation and retail analogs are listed in Attachment 1. BellSouth has utilized Percent Missed Installation Appointments as an internal measurement for a number of years and, therefore, clearly has a retail analog for this measurement. Moreover, setting a benchmark for percentage missed appointments would eliminate the flexibility necessary to adjust for weather, workforce availability, and natural disasters. These types of conditions can lead to missed appointments for both wholesale and retail customers, and a parity standard is needed to take this reality into account.

126. The appropriate penalties for this measurement are set forth in Attachment 2.

(e) Open Orders in Hold Status

127. The proposal in the *Notice* to measure Open Orders in Hold Status is appropriate to capture the percentage of orders that are past the committed due date. BellSouth proposes to capture this information with the measure *Mean Held Order Interval & Distribution Intervals.* Also, BellSouth believes that the measure should focus on the percentage of Orders that are past the committed due date as of the end of the reporting period, rather than the percentage of circuits (as suggested in the *Notice*)[34]. By measuring the percentage of orders, the ILEC would capture the overall performance for multiple circuits on a single order, not just individual circuits. The BellSouth-produced measurement, *Mean Held Order Interval & Distribution Intervals*, captures the average period of time that CLEC orders are held for BellSouth reasons and are past the committed due date. This measure provides the CLECs a report of the reason

[34] *Notice*, ¶ 62.

for the held order (facilities, equipment, other) total number of orders held, and total and average days.

128. The *Notice* inquires whether incumbent LECs should be required to measure the number of open orders that, at the close of the reporting period, have been in a hold status for more than ten calendar days, 30 calendar days or some other specified time period.[35] BellSouth believes that compliance with this measure should be judged by a parity standard because a retail analog exists. Beyond this, BellSouth is not opposed to having, for diagnostic purposes, a status report of the number of days held. Bellsouth currently produces a measure that provides data on total days held and identifies these in categories of > 15 days and > 90 days. BellSouth believes that these timeframes are appropriate. If an order is held longer than 15 days, this is the first significant indication of a problem with the order. An order that is held beyond 90 days indicates a more significant problem. Therefore, reporting held orders by these intervals would provide the competitive LEC with useful information. It is not necessary to report the number of Open Orders In Hold Status by: 1-5 days, 6-10 days, 11-20 days, 21-30 days, 31-40 days and > 40 days as discussed in the *Notice*[36]. BellSouth is not aware of any reason that Open Order Status would need to be broken down into six intervals. At the same time, more intervals obviously require more complex reporting and an additional administrative burden. The structure of the report as proposed by BellSouth provides adequate information to demonstrate open order status without constituting an undue burden.

129. BellSouth believes that there would be little use in having incumbent LECs report the percentage of all cancellations processed during the reporting period in which the cancellation took place after the committed due date. Based on the way BellSouth structures its' Missed Installation Appointment measure, if an order is cancelled after the scheduled due date,

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35 *Notice*, ¶ 63.

36 *Notice*, ¶ 63.

BellSouth should have already included that order as a miss in the Missed Installation Appointment measurement. While it is possible to report the percentage of all cancellations processed during the reporting period where the cancellation took place after the committed due date, the reason for the cancellation would have to be addressed to determine whether the CLEC cancellation was due to the missed commitment date or to some other factor that the ILEC had no control over. The reasons for a cancellation can vary greatly, depending on any number of customer situations, most of which are beyond the ILECs control. Given this, it would be difficult to analyze the reason for the cancellation and to determine whether the ILEC should be held responsible. On balance, BellSouth believes the administrative labor involved in reporting these cancellations outweighs any useful information that would be derived.

130. The *Notice* identifies the appropriate exclusions for this measure. Specifically:

(1) Order activities of BellSouth of the CLEC associated with internal or administrative use of local services (Record Orders, Listing Orders, Test Orders, etc.). These activities do not have any real impact on the CLEC customers' experience in receiving service from the CLECs. For this reason, they would not provide a satisfactory reflection of any discriminatory treatment.

(2) D&F Orders (except "D" orders associated with LNP Standalone). Typically D (Disconnect) and F (From) orders are programmed to disconnect automatically at a specified time on the due date. D&F orders for CLECs and BellSouth retail operations are treated exactly the same. As stated previously, these orders are programmatically completed in the central office switch from a

pre-loaded program. Therefore, large volumes are completed almost instantaneously, which results in a high volume of completions with minimal or non-recognizable intervals. These orders should not be included in the measure because doing so would skew the results of this measurement.

(3) Weekends and Designated Holidays.

131. The appropriate performance standard for this measurement is parity. BellSouth utilizes the Mean Held Order Interval as an internal retail measurement and, therefore, clearly has a retail analog for this measurement. Setting a benchmark for Mean Held Order Interval and Distribution Intervals, as opposed to the appropriate standard of comparing to a retail analog, would eliminate the flexibility necessary to adjust for weather, workforce availability, construction projects and natural disasters. These types of conditions can lead to missed appointments for both wholesale and retail customers, and a parity standard is needed to take this reality into account. The proper product disaggregation and retail analogs are listed in Attachment 1.

132. There should be no penalty associated with this measurement. BellSouth has proposed a *Percent Missed Installation Appointments* measurement, and proposes to have a penalty associated with that measurement. If there is any disparity in treatment, this disparity will be captured in the missed installation measurement and a penalty will be paid. To require an additional penalty payment for holding open the missed order would be duplicative.

133. As to the utility of measuring the number of Open Orders in Hold Status, BellSouth believes that this measurement has value, and that there is no better alternative measure to address this specific area of performance. Although this measurement is important, the single most important provisioning measure is *Percent Installation Appointments Met*, which

captures whether or not the ILEC provides the service on the committed date to its customer, whether it is the CLEC or the ILEC retail customer.

4. Maintenance and Repair Measurements

134. The three maintenance and repair measurements proposed in the *Notice*[37], Trouble Report Rate, Repeat trouble Report Rate, and Time to Restore, are adequate to determine whether ILECs are providing maintenance and repair in a nondiscriminatory manner. These three measures are currently part of BellSouth's SQM, and BellSouth's version of these measurements is described in detail in Attachment 1. These three measurements capture the key points in the maintenance and repair process that have the greatest impact on the end user/customer: how many troubles are being reported (Trouble Report Rate), how many troubles are not being repaired correctly the first time (Repeat Trouble Report Rate), and how long it takes for the ILEC to repair the trouble (Time to Restore). These are the most critical components of the repair experience for the CLECs.

135. No additional maintenance and repair measures, beyond these three, are required, and none should be considered.

136. The adoption of these measurements will not impose any additional regulatory burden if they are utilized to replace the comparable measurements BellSouth currently produces as part of the state-ordered plans. Again, these measures are already in place, and the administrative labor involved in adapting them for use in a uniform, federally mandated set of measures should not be burdensome. For the reasons discussed previously, these measurements should not be ordered at the federal level in addition to the comparable state measures already ordered by the individual states. Such a requirement would add no useful information to that being currently measured at the state level, but would require duplicate reporting, and would generally increase the regulatory burden.

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37 *Notice*, ¶ 65.